In the High Court for the States of Punjab and Haryana, at Chandigarh.

R.S.A.No. 358 of 2007 (O&M)
Decided on February 05,2007

Saroj Rani and others --Appellants.

vs.

Raj Dulari --- Respondent.

Present: Mr. Ajay Sharda,Advocate,for the appellant.

Pritam Pal,J:(Oral)

This appeal by defendants, is directed against judgment and decree dated May 23,2006 passed by Civil Judge, and September 25,2006, by learned District Judge, Patiala, whereby a preliminary decree for partition of joint property bearing shop No. 5603/1,Min measuring 20 Square Yards, situated at Arya Samaj ,Patiala, bounded as under:-

East	:	Ashru Ram
West	:	Road
North	:	Surinder Gupta
South	:	Road,

was passed in favour of the plaintiff/respondent (hereinafter referred to as 'the plaintiff') against appellants/ defendants (hereinafter referred to as 'the defendants'). At the same time, the defendants were restrained from alienating the entire shop to any other person. Appeal filed by the defendants also failed.

A perusal of the impugned judgments and decrees passed by both the Courts below, goes a long way to show that the plaintiff

has been held to be owner in possession to the extent of ½ share of the demised shop on the basis of a registered sale deed in her favour . In fact, plaintiff Raj Dulari and defendant No.1 Saroj Rani, are the wives of two real brothers, namely Ashok Kumar and Surinder Pal. Both these ladies had purchased the shop in dispute by a joint registered sale deed, which has been duly proved on the file. They both are co-sharers to the extent of ½ share each in the said shop.

In view of the concurrent findings given by the Courts below, no interference is called for in the findings of fact arrived at on the crucial issues involved in this appeal. Moreover, learned counsel for the defendant also could not make out any substantial question of law for consideration of this Court. Hence, this Regular Second Appeal stands dismissed in *limine*.

February 05,2007 (Pritam Pal)
RR Judge